

**Number:** 2002 - 04  
**Date:** May 9, 2002

**Page 1 of 5**

---

**Subject:** INSPECTORS, CODE ENFORCEMENT OFFICERS AND ISD PERSONNEL  
ASSIGNED TO DEPARTMENT MOTOR VEHICLES

---

**Purpose:** This bulletin is issued to establish the responsibilities and duties of Inspectors Code Enforcement Officers and ISD personnel assigned to department motor vehicles.

---

**Determination:**

The Division of Administration and Finance, under the direction of the Deputy Commissioner for Administration and Finance has charge of all department Motor Vehicles. Inspectors, Code Enforcement Officers or any other ISD personnel assigned to duty in a department motor vehicle shall comply with the rules proscribed for such service herein.

---

**A. STANDARD RULES AND PROCEDURES FOR OPERATION OF DEPARTMENT  
MOTOR VEHICLES:**

**§ 1 General Considerations:**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall adhere to the rules proscribed for such service and shall be subject to all other rules and regulations proscribed for Inspectors and Code Enforcement Officers to the extent that they are not in conflict with the specific rules for use of department motor vehicles.

**a. Strict Compliance:**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall strictly comply with the requirements set forth in this bulletin.

**b. Failure to Comply:**

Failure to comply with the requirements for Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles set forth in this bulletin may lead to disciplinary action.

**c. Driver Sheet:**

Inspectors, Code Enforcement Officers and ISD personnel using department motor vehicles on a one-time basis must obtain and fill out the attached vehicle and equipment checklist, entitled Driver Sheet, from the Division of Administration and Finance.

**§ 2 Department Motor Vehicle Limits on Use**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall operate only their assigned vehicle, except in an emergency or on the order of the Deputy Commissioner of Administration and Finance or their direct supervisor.

**§ 3 Valid Driver's License Requirement**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall operate department motor vehicles only if they have a valid license to operate that class of motor vehicle issued by the Massachusetts Registrar of Motor Vehicles and have been certified to operate that class of motor vehicle by the Deputy Commissioner of Administration and Finance.

**§ 4 Department Motor Vehicles Otherwise Assigned or Unfit for Use**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall immediately report to the Deputy Commissioner of Administration and Finance if the vehicle has been otherwise assigned or is unfit for use.

**§ 5 Department Motor Vehicle Maintenance**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall, when designated as the operator, be responsible for the necessary cleanliness of the vehicle to which he/she is assigned and shall insure that it is sufficiently supplied with water, fuel and lubricating oil and that the requisite amount of air is in the tires. At a minimum, the department motor vehicle shall be cleaned weekly by the Inspector, Code Enforcement Officer or ISD personnel assigned to that department motor vehicle.

**§ 6 Department Equipment Stored in Vehicles**

All department equipment supplied in department motor vehicles, including but not limited to emergency equipment, flashlights, cameras, handheld equipment and all safety clothing and equipment must be secured in the lock box provided in the assigned department motor vehicle. Equipment supplied in department motor vehicles must be maintained and replaced on an as

needed basis, by the Inspectors, Code Enforcement Officers and ISD personnel assigned to that department motor vehicle.

#### **§ 7     Damage to Department Motor Vehicles**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall be held responsible for failure to report any damage to the vehicle entrusted to his/her care and for any assigned department property or equipment missing from such vehicle when such damage or missing property or equipment should have been clearly discoverable by the inspection required before use of department motor vehicles.

#### **§ 8     Speed of Department Motor Vehicles**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall, at all times, operate the department motor vehicle at a moderate rate of speed and in a manner consistent with the requirements contained in the Massachusetts General Laws and the rules of the road. Department motor vehicles, regardless of the posted speed limit must never travel faster than is reasonable and proper for the current traffic, weather and road conditions and public safety.

#### **§ 9     Radio Receivers**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall, if provided, have the radio receiver of his/her vehicle in operation at all times while on duty.

#### **§ 10    Radio Equipment**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall not tamper in any way with radio equipment and shall not make frivolous or unnecessary broadcasts nor interfere in any way with regular department radio communications.

#### **§ 11    Department Motor Vehicles Defects**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall immediately report to the Deputy Commissioner of Administration and Finance any defect in the operation of the vehicle. If he/she is unable to transmit, he/she shall inform a supervisor of the condition of the radio.

#### **§ 12    Unauthorized Passengers**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall not, except as in case of an emergency or other proper performance of duty, permit any person to ride in or on the vehicle to which he/she is assigned, unless specifically authorized by the Deputy Commissioner of Administration and Finance or their immediate supervisor.

### **§ 13 Unattended Department Motor Vehicles**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall not at any time while on duty, leave his/her vehicle unattended except in an emergency, or when authorized to do so. Legally parked and locked department motor vehicles during the course of inspection or other official department business shall not be considered "unattended" for the purposes of this section.

### **§ 14 Most Direct Route to Destination**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall drive his/her vehicle to a destination by the most direct route and the speed and operation of the vehicle shall be regulated with the utmost regard for public safety.

### **§ 15 Guidelines for Operating Department Motor Vehicles**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall, when reporting to inspect a premises or responding to a call for assistance from other emergency officials, at all times obey speed limits, observe and obey all stop signs and traffic signals and in general obey the rules of the road and operate the department motor vehicle in a manner demonstrating the utmost regard for public safety.

### **§ 16 Limited Use of Emergency Equipment**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall restrict the use of emergency equipment, flashing lights and sirens to when the vehicle is pulled over to the side of the road or when proceeding as part of a group of emergency vehicles to an inspection or emergency incident. Drivers may also use flashing lights and sirens when directed to do so by an incident commander on the scene of an emergency incident.

### **§17 Accidents Involving Department Motor Vehicles**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall immediately report any accident involving his/her assigned vehicle to the Deputy Commissioner of Administration and Finance and his/her direct supervisor.

### **§ 18 Regulations and Guidelines for Reporting and Investigating Accidents**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall adhere to the following regulations and guidelines for reporting and investigating all accidents involving department motor vehicles:

#### **(a) Notification**

Inspectors, Code Enforcement Officers and ISD personnel shall immediately report the time and location of any accident involving his/her assigned vehicle to the Deputy Commissioner of Administration and Finance and his/her direct supervisor. The vehicle operator will have the responsibility of obtaining all the necessary information and shall have the responsibility to

complete an Accident Report with the Boston Police Department. If the vehicle operator is unable to complete the Accident Report, then an observer or his/her direct supervisor may complete the Accident Report. A copy of this Accident Report must be filed with Deputy Commissioner of Administration and Finance and his/her direct supervisor.

**(b) Citations**

If vehicle operator is issued citation for a moving violation as a result of the accident, he/she will immediately report and provide copies of the citation to the Deputy Commissioner of Administration and Finance.

**(c) Investigation**

If the Deputy Commissioner of Administration and Finance determines that further investigation of the cause and circumstances of the accident is required, he/she shall request that the operator's direct supervisor assist the operator at the scene. The direct supervisor shall conduct a thorough on-scene investigation, including, if necessary, photographs of damaged property and interviews of witnesses and operators.

**§ 19 Responsibility for Damage**

Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles shall be held responsible for any damage to department motor vehicles resulting from his/her negligence.

**§ 20 Civil Claims Arising Out of Accidents Involving Department Motor Vehicles**

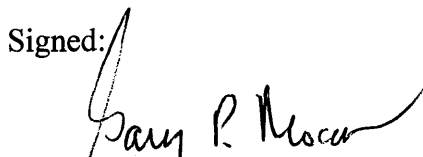
Inspectors, Code Enforcement Officers and ISD personnel assigned to department motor vehicles, who retains an attorney to prosecute a third party liability claim for personal injuries resulting from any accident involving any department motor vehicle, must immediately notify the Deputy Commissioner of Administration and Finance and his/her direct supervisor of such claim in writing. The notice shall include the name and address of such attorney.

---

Signed:

  
Kevin J. Joyce  
Commissioner of ISD

Signed:

  
Gary P. Moccia  
Commissioner of Buildings